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LEONARD JERVEY KENNEDY

July 28, 1993

DIRECT DIAL NO.

857-2505

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

**RECEIVED**

**JUL 28 1993**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Gen. Docket No. 90-314  
CC Docket No. 92-237 ✓

Dear Mr. Caton:

Attached please find copies of a letter from Comcast Cellular Communications, Inc. to the Acting Chief, Common Carrier Bureau. Since this letter responds to a June 23, 1993 letter filed by Bellcore as a communication to be associated with both the Personal Communications Services and North American Numbering Administration dockets, Comcast is providing copies of its responsive correspondence to be associated with the docket files in these proceedings.

Please contact me if there are any questions in this matter.

Respectfully submitted,

*Leonard Kennedy* <sup>INP</sup>

Leonard J. Kennedy  
Counsel for Comcast Cellular  
Communications, Inc.

**Attachments**

cc: The Honorable James H. Quello  
The Honorable Ervin S. Duggan  
The Honorable Andrew C. Barrett  
Brian F. Fontes  
Byron F. Marchant  
John C. Hollar  
Linda L. Oliver  
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July 28, 1993

Kathleen B. Levitz, Esq.  
Acting Chief, Common Carrier Bureau  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Bellcore Letter on Service Access Code Assignments  
for Personal Communications Services

Dear Ms. Levitz:

Comcast Cellular Communications, Inc. ("Comcast") hereby responds to the June 23, 1993 letter Bellcore filed with the Commission informing it of Bellcore's intention to commence the assignment of NXX code blocks to carriers for Personal Communications Services ("PCS") trials beginning August 1, 1993. Because Comcast provides cellular mobile radio service and through affiliates has interests in cable, alternative access and PCS, Comcast seeks the Commission's assurance that Bellcore's unilateral action will not prejudice the Commission's determinations in its ongoing Numbering Administration and PCS rulemakings and will have no adverse effect on the availability of PCS numbers to other entities.

While Comcast believes that there may be a need for PCS numbering assignments, Bellcore's proposed plan of action raises a host of issues that are already before the Commission in other proceedings. Rather than await the Commission's

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The Commission's Role Is to Assure Fair Access To Numbering Resources

Comcast does not take issue with Bellcore's determination that a SAC Code should be allocated for PCS. The allocation of a SAC Code supporting non-geographic numbering to enhance personal mobility is in the public interest. Comcast believes, however, that the Commission, and not Bellcore, should make the determination of the standards that will govern mobile carrier access to these numbers. Comcast submits that Bellcore's apparent approach to PCS number assignments may preclude those parties that do not already have applications pending from receiving PCS SAC codes.

Comcast believes that during this interim period non-geographic numbers should be assigned only to entities that can demonstrate their need for numbers for legitimate trials and service offerings which cannot be offered using currently available numbering resources. These assignments should also be made with the express understanding that they are subject to the Commission's ultimate determinations in its Numbering Administration and PCS dockets, and specifically with the understanding and agreement of the requesting party that unused numbers must be returned.

Comcast notes that the Commission staff was apparently unconvinced of the urgent need to assign non-geographic codes to the entities Bellcore lists in its submission as recently as April of this year. Comcast is concerned that, if Bellcore is successful, some of the requester entities named will be permitted to lock up large, perhaps unwarranted numbers of code blocks. As the Commission has recognized, telephone numbers are finite national resources, not unlike spectrum. While the Commission has designed rules and policies against spectrum warehousing, it has not addressed the prospect of number warehousing if Bellcore's proposed assignments go forward. Therefore, it is incumbent on the Commission to ensure against PCS number warehousing by several large communications companies that have not publicly demonstrated their need for PCS numbers.

For example, several entities applied for PCS number assignments both as telephone companies and as cellular companies, although they are controlled by the same corporate parent. If all diversified communications companies took the same approach, virtually all the number blocks to be freed up by Bellcore could be consumed by just a few companies. For example, Comcast could apply for codes as a cable operator, a cellular operator, an alternative access provider and possibly as a PCS provider. Bellcore's failure to require entities under common control to jointly conserve numbers raises the question whether entities are seeking number assignments for commercial advantage without regard to the Commission's ongoing proceedings on PCS and numbering. The point is the Commission must be sure no one is grabbing numbers while they are available without a sufficient showing of genuine need and thereby

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causing a number shortage before the Commission has even concluded its PCS rulemaking.

Comcast's Recommendations

It is the Commission's role to determine the appropriate timing of the availability of PCS numbers, not Bellcore's. If the Commission nevertheless determines that the assignment of NXX Codes from the PCS SAC is in the public interest, Comcast recommends that:

- the Commission set a strict limit on the number of codes that can be assigned to any company (or companies under common control) during this interim period;
- that as a condition of receiving PCS codes, companies agree to return unused numbers and the Commission, and not Bellcore, assert its authority to recover and reassign unused numbers; and
- that the Commission begin to take charge of numbering administration as the bulk of the comments filed in the Commission's Numbering Administration docket advocated.

Comcast is as eager as other companies seeking numbers to provide new, non-geographic services to consumers. It appears, however, that relying upon Bellcore to assign PCS numbers will result in the same problems and conflicts of interest that prompted the Commission to initiate its Numbering Administration rulemaking. Therefore Comcast urges the Commission to take charge of PCS numbering issues by imposing strict conditions on any PCS number assignments initiated by Bellcore.

Respectfully submitted,

COMCAST CELLULAR COMMUNICATIONS, INC.

  
Leonard J. Kennedy  
Its Attorney